

**ENTERED**

June 12, 2025

Nathan Ochsner, Clerk

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

MATTHEW THOMAS	§	CIVIL ACTION No
DEARMOND, III,	§	4:24-cv-01812
Plaintiff,	§	
	§	
	§	
vs.	§	JUDGE CHARLES ESKRIDGE
	§	
	§	
SELECT PORTFOLIO	§	
SERVICING INC, <i>et al</i> ,	§	
Defendants.	§	

**ORDER ADOPTING  
MEMORANDUM AND RECOMMENDATION**

Plaintiff Matthew Thomas Dearmond, III, proceeds here *pro se*. He filed a complaint for breach of contract against Defendants Select Portfolio Servicing, Inc, Angel Oak Mortgage Solutions, LLC, and Wilmington Savings Fund Society, FSB. Dkt 1-4. He also sought declaratory and injunctive relief. Id at ¶¶23–27.

Defendants filed a motion for summary judgment asserting that Dearmond’s claims for breach of contract, declaratory relief, and injunctive relief fail as a matter of law. Dkt 16. Dearmond didn’t respond.

The matter was referred for disposition to Magistrate Judge Christina Bryan. Dkt 3. She issued a Memorandum and Recommendation on May 21, 2025, in which she recommended that the pending motion for summary judgment be granted. Dkt 18. No objection was filed.

The district court reviews *de novo* those conclusions of a magistrate judge to which a party has specifically objected. See FRCP 72(b)(3) & 28 USC § 636(b)(1)(C); see also *United States v Wilson*, 864 F2d 1219, 1221 (5th Cir

1989, *per curiam*). The district court may accept any other portions to which there's no objection if satisfied that no clear error appears on the face of the record. See *Guillory v PPG Industries Inc*, 434 F3d 303, 308 (5th Cir 2005), citing *Douglass v United Services Automobile Association*, 79 F3d 1415, 1430 (5th Cir 1996, *en banc*); see also FRCP 72(b) advisory committee note (1983).

No clear error appears upon review and consideration of the Memorandum and Recommendation, the record, and the applicable law.

The Memorandum and Recommendation of the Magistrate Judge is ADOPTED as the Memorandum and Order of this Court. Dkt 18.


The motion for summary judgment by Defendants Select Portfolio Servicing, Inc, Angel Oak Mortgage Solutions, LLC, and Wilmington Savings Fund Society, FSB, is GRANTED. Dkt 16.

This civil action is DISMISSED WITH PREJUDICE. Dkt 1-4.

A final judgment will enter separately.

SO ORDERED.

Signed on June 11, 2025, at Houston, Texas.

  
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Hon. Charles Eskridge  
United States District Judge